

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, March 24, 2009, the following members were present:

Greg Jergeson, Chair  
Ken Toole, Vice Chair  
Brad Molnar, Commissioner  
John Vincent, Commissioner, via telephone

Commissioner Gail Gutsche was absent, but left her proxy with Commissioner Toole.

APPEARANCE

Eric Eck, Utility Division

(125) In the matter of D97.11.219: On March 6, 2009, NorthWestern Energy filed its semi-annual true-up Advice Letter pursuant to Order No. 6035a.

Commissioner Toole moved to APPROVE NorthWestern Energy's requested rate changes for the semi-annual true-up of the Natural Gas Transition Bonds. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(126) In the matter of T-95.5.OTSC: On February 23, 2009, an Order to Show Cause was issued to PSC No. 56, leased by Glacier Country Transportation Centre LLC d/b/a Kalispell Taxi, Kalispell, Montana for failure to purchase a vehicle registration receipt for 2009 as required by §69-12-421 MCA.

Commissioner Toole moved to TERMINATE the lease for failure to comply with Commission rules and regulations and revert the authority to the owner, Flathead Area Custom Transportation, Inc. d/b/a Kalispell Taxi and Airport Shuttle Service. Commissioner Vincent seconded the motion, which passed unanimously.

(127) In the matter of T-09.15.OTSC: On February 23, 2009, an Order to Show Cause was issued to PSC No. 9364, leased by Glacier Country Transportation Centre LLC d/b/a Kalispell Taxi, Kalispell, Montana for failure to purchase a vehicle registration receipt for 2009 as required by §69-12-421 MCA.

Commissioner Toole moved to TERMINATE the lease for failure to comply with Commission rules and regulations and revert the authority to the owner, Flathead Area Custom Transportation,

Inc., d/b/a Kalispell Taxi and Airport Shuttle Service. Commissioner Vincent seconded the motion, which passed unanimously.

(128) In the matter of the approval of Commission Minutes for the week March 16, 2009.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of March 16, 2009. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee, Utility Division  
Justin Kraske, Legal Division

(129) In the matter of the Commission's discussion in Docket No. D2008.9.111: Alltel investigation.

Commissioner Toole moved to DENY in part and GRANT in part as proposed by staff subject to minor editing changes in Docket No.D2008.9.111. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,  
Utility Division

(130) In the matter of the Commission's discussion of Northwest Power and Conservation Council's Conservation Resources Advisory Committee (CRAC) PSC participation.

Commissioner Molnar moved to GRANT Mike Lee's participation in CRAC. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Lori Sandru and Phil Cooke, Consumer Division  
Justin Kraske, Legal Division

(131) In the matter of the Commission's discussion in Docket No. N2008.8.101: Medical emergency rule application/payment arrangements.

Commissioner Toole moved to ACCEPT staff recommendations to allow the customer to remain on the payment arrangement of \$450 a month and direct staff to draft an appropriate NCA strongly stressing that the customer needs to keep up with the arrangement to avoid a continued escalating arrearage, and that the arrangement may be reviewed when the medical emergency rule is finalized. Commissioner Vincent seconded the motion, which passed unanimously.

(132) In the matter of the Commission's discussion in Docket No. N2008.8.102: Medical emergency rule application/payment arrangements.

Commissioner Toole moved to ACCEPT staff recommendations to allow the customer to remain on the payment arrangement of \$450 a month and direct staff to draft an appropriate NCA strongly stressing that the customer needs to keep up with the arrangement to avoid a continued escalating arrearage, and that the arrangement may be reviewed when the medical emergency rule is finalized. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee, Utility Division  
Jim Paine, Legal Division

(133) In the matter of the Commission's discussion in Docket No. D2007.7.79: MDU extension of time.

Commissioner Vincent moved to DENY MDU's motion for extension of time to make its cost of service and rate design filing. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(134) In the matter of the Commission's discussion in personnel matters:

Commissioner Molnar moved to APPROVE the request of Ann Purcell to carry forward up to 80 hours of excess vacation time to be used by May 31, 2009. Commissioner Vincent seconded the motion, which passed unanimously.

(135) In the matter of the Commission's discussion of staff out-of-state travel:

Commissioner Vincent moved to APPROVE out-of-state travel for Jim Paine to attend Telecommunications Law: 14<sup>th</sup> Annual Conference on April 16-17, in Seattle, instead of attending the National Conference of Regulatory Attorneys previously approved by the Commission. Commissioner Toole seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, March 26, 2009, the following members were present:

Ken Toole, Vice Chair  
Brad Molnar, Commissioner  
John Vincent, Commissioner, via telephone

Commissioner Gail Gutsche was absent, but left her proxy with Commissioner Toole.  
Commissioner Greg Jergeson was absent, but left his proxy with Commissioner Toole.

(136) In the matter of the Commission's discussion in Docket No. D2008.12.140: Cable and Communications Corporation petition to approve cost data.

Commissioner Molnar moved to GRANT the temporary suspension of the current procedural order in Docket No. D2008.12.140. Commissioner Vincent seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)